

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DaJovan Pettit,

Case No. 23-cv-2789 (JWB/JFD)

Plaintiff,

v.

**ORDER AND
REPORT & RECOMMENDATION**

Allina Health System,

Defendant.

This order is issued in response to various email communications from Plaintiff's former counsel, Mr. Richard Hechter, and Defendant's counsel, Mr. Lehoan Pham, both addressing the Court's Order and Report and Recommendation filed January 30, 2025. The original email from Mr. Hechter shared with the Court that he has lost access to various computer programs that would allow him to contest the Court's levy of sanctions against him. Mr. Hechter also states that the parties dispute the amount of sanctions due to Defendant and how the responsibility for those sanctions is to be borne by Mr. Hechter and his former law firm. Mr. Hechter does not seek any specific relief from this Court. Mr. Pham has requested that Defendant have an opportunity to respond to Mr. Hechter's email.

The undersigned reminds the parties that an Order was entered on January 30, 2025 requiring "Mr. Hechter [to] pay to Defendant Allina Health System \$9,752.50 for attorneys' fees incurred in connection with its Motion to Compel (Dkt. No. 58)." (Order 26, Dkt. No. 113.) Also on January 30, 2025, and in the same document, the undersigned issued a Report and Recommendation which *recommended* that the claims in this case be

dismissed and that Mr. Hechter and his former law firm should be ordered to pay \$10,000 in attorneys' fees to Defendant under Fed. R. Civ. P. 11. (Report and Recommendation 25, Dkt. No. 114.)

The Court reminds Mr. Hechter and Mr. Pham that the Magistrate Judge's Order can be appealed to the District Judge, the Honorable Jerry Blackwell, pursuant to Local Rule 72.2(a); and that the Magistrate Judge's Report and Recommendation can be objected to, and Judge Blackwell will rule on the objections, pursuant to Local Rule 72.2(b). The Court notes that the deadline prescribed in each of these rules has passed, and all motions, communications, or requests for extensions of time in which to file an objection or appeal as to the January 30, 2025 Order and Report and Recommendation must be addressed to Judge Blackwell. Sending to the undersigned emails, or responses to emails, that press one characterization or other on the position of the opposing party, is to send the wrong type of communication to the wrong judicial officer.

Mr. Hechter states in his email that he does not have access to a copy of the January 30, 2025 Order and Report and Recommendation. The Court will provide him with a copy, and a copy of this order, via email.

SO ORDERED.

Date: February 18, 2025

s/ John F. Docherty
JOHN F. DOCHERTY
United States Magistrate Judge